

REMARKS

Claims 1-34 are pending in the present application. Claims 1-15 have been withdrawn from consideration as being drawn to a nonelected invention.

The Examiner has again imposed a Restriction Requirement. The Examiner now requires election in the present application between:

Group I, claims 16-29, drawn to a first alkaline battery/method of producing; and

Group II, claims 30-34, drawn to a method of making a second alkaline battery.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 16-29.

According to MPEP §803, if the search and examination of an entire application can be made without a serious burden, the Examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions. Applicants note that the Examiner has classified Group I (claims 16-29) in Class 429, Subclass 206 and has classified Group II (claims 30-34) in Class 29, Subclass 623.1. The PTO Manual of Classification describes these classes as follows:

Class 429, Subclass 206

* Include electrolyte chemically specified ***and method***

** Alkaline

Class 29, Subclass 623.1

* Electrical device making

** Electric battery cell making

It appears to Applicants that the subject matter of each of Group I and Group II should be included in both Class 429, Subclass 206 and Class 29, Subclass 623.1. Both of these subclasses

include methods. Accordingly, the search of Group I necessarily overlaps with the search of Group II. As such, there would be no undue burden to search for all of claims 16-34 and rejoinder of Group II with Group I is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D., Esq., Registration No 43,575 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


☐ Attached is a Petition for Extension of Time.

☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By  #43575
John W. Bailey
Registration No.: 32,881
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant